



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8EPR-N

July 17, 2008

Misty A. Hays, Deputy District Ranger
Douglas Ranger District
2250 East Richards Street
Douglas, WY 82633

RE: Inyan Kara Analysis Area Vegetation
Management Thunder Basin National Grassland
Draft Environmental Impact Statement; CEQ
#20080209

Dear Ms. Hays,

In accordance with EPA's responsibilities under the National Environmental Policy Act (NEPA) 42 U.S.C. Section 4332(2)(C), and our authorities under Section 309 of the Clean Air Act, 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Inyan Kara Area Vegetation Management Thunder Basin National Grassland (TBNG) Draft Environmental Impact Statement (DEIS).

The DEIS was prepared to analyze potential impacts of the proposed action, which would continue to authorize livestock grazing and associated vegetation management actions within the analysis area while resolving disparities between existing conditions and desired conditions in a reasonable timeframe (DEIS, page 7). The Inyan Kara Analysis Area (AA) Area Management Phase II consists of approximately 127,375 National Forest Service (NFS) acres, located in portions of Weston and Niobrara Counties, Wyoming. The Inyan Kara AA Phase I, conducted in 2006 and 2007, analyzed approximately 27,309 NFS acres under the Categorical Exclusion Authority.

The DEIS identifies three alternatives for evaluation:

- Alternative 1 (No Action, No Grazing Alternative) eliminates livestock grazing for the planning period.
- Alternative 2 (Current Management Alternative) continues current grazing practices as prescribed in existing allotment management plans and the TBNG Land and Resource Management Plan (LRMP)
- Alternative 3 (Proposed Action, Adaptive Management Alternative) continues to authorize livestock grazing using adaptive management practices and associated activities.

EPA submitted scoping comments on January 7, 2008, identifying several key environmental issues to be evaluated in the DEIS. The Forest Service has sufficiently addressed most of those issues in the current document. EPA has remaining concerns described below that should be addressed in the Final EIS (FEIS).

Drought Management

The stated objective of the DEIS is to resolve disparities between existing conditions and desired conditions identified in the TBNG LRMP. The objective is to ensure that authorized uses, such as grazing, and associated management activities move resources toward desired conditions in an acceptable timeframe (DEIS, page 3). The DEIS states throughout the document that drought conditions, occurring since 2000, have significantly impacted desired vegetation conditions in the Inyan Kara Analysis Area (AA). Due to inherent uncertainty of when favorable precipitation patterns will return, but given the likelihood of frequent droughts during the timeframe of this management plan, EPA recommends that the FEIS provide a separate, more detailed drought management plan to highlight this ongoing concern. We commend the Forest Service for numerous informative discussions in the DEIS as to the impact of drought on resources, such as vegetation health, and management strategies that may reduce impact to resources. Given the persistence of drought conditions, EPA has remaining concerns regarding protection of water quality where water is a very limited resource, potentially subject to further degradation during continued periods of drought. In order to address these concerns, EPA proposes that the FEIS provide a discussion of management strategies that may be implemented during periods of severe drought in order to minimize impacts on water quality. For reference, EPA's scoping comments provided examples of some potential options for consideration in a drought management plan.

Water Quality

The DEIS currently provides a good narrative summary and references to water quality assessments. The DEIS states that the majority of allotments being analyzed are in the Cheyenne River Basin, with 19 allotments in the Upper Belle Fourche Watershed (DEIS, page 128). In addition to the information provided in the DEIS, EPA requested in the scoping comments a summary of available water quality monitoring data for watersheds in the analysis area that would provide a baseline for future monitoring of grazing impacts. Such data to monitor watershed health in the project area would include: fecal coliform and bacteria counts, nutrient concentrations; water temperatures; settled solids, including percent fines in spawning gravel; stream bank conditions; and vegetative cover. To the extent available for affected watersheds, the FEIS should provide a summary of recent water quality data, as described above, that can serve as means of monitoring watershed health.

Adaptive Management

The proposed action, Adaptive Management Alternative 3, is discussed very well in general terms as a method in which natural resource management is an ongoing and iterative process. It is further described as a detailed, outcome-based focus of selective practices

implemented in response to information from site-specific monitoring that may indicate a need or an opportunity to modify management (DEIS, page 14). EPA recommends that adaptive management, as envisioned for this project, may be better illustrated by means of a decision tree with clear objectives to guide future decisions. Although the grazing allotments vary in physical characteristics, we believe that providing a generalized decision tree in the FEIS is a beneficial tool to clarify the decision making process for the reader.

Pursuant to EPA policy and guidance, EPA rates the environmental impact of an action and the adequacy of the NEPA analysis. EPA has rated the proposed action as “EC-2” under EPA’s rating criteria. The “EC” rating means that our review identified environmental impacts that should be avoided to fully protect the environment (Environmental Concerns, or “EC”). The overall level of analysis of “2” (Insufficient Information) indicates that the draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment. An explanation of the rating criteria is enclosed.

Thank you for the opportunity to provide comments on the DEIS. If you have questions regarding EPA’s comments, please contact me at (303) 312-6004 or Larry Kimmel, EIS project manager, at (303) 312-6659.

Sincerely,

/s/ Deborah Lebow Aal
for Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

Enclosure